

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY WILLIAMS,

Plaintiff,

vs.

CLARK COUNTY SCHOOL DISTRICT, et al.,

Defendants.

Case No. 2:12-cv-01331-JCM-PAL

REPORT OF FINDINGS AND
RECOMMENDATION

(IFP App - Dkt. #1)

Plaintiff Anthony Williams is proceeding in this action pro se and submitted an Application to Proceed In Forma Pauperis (Dkt. #1) on July 27, 2012. This proceeding was referred to this court by Local Rule IB 1-9.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may authorize the commencement of an action without prepayment of fees and costs or security by a person who makes affidavit that he is unable to pay such costs or give security. *See* 28 U.S.C. § 1915(a). Plaintiff has submitted the affidavit required by § 1915(a). The affidavit provides that Plaintiff is employed by the Clark County School District in Henderson, Nevada, has take-home pay of \$2200.00 per month, and he has \$300.00 in cash or a bank account. Plaintiff lists living expenses (including his grocery expenses, utility bills, and other expenses such as “self defense training”) totaling \$1891.00, leaving him with disposable income of \$309.00 per month. The court finds that Plaintiff has sufficient income and assets to pre-pay the costs and fees of this action, and Plaintiff is ineligible to proceed in forma pauperis.

Accordingly,

///

///

1 **IT IS RECOMMENDED** that Plaintiff's Application to Proceed In Forma Pauperis (Dkt. #1)
2 be DENIED, that Plaintiff be required to pay the filing fee of \$350.00, and that failure to do so within
3 the time set by the district judge should result in dismissal of this action.

4 **IT IS FURTHER RECOMMENDED** that the Clerk of the Court should retain the Complaint.

5 Dated this 14th day of August, 2012.

6
7
8 
9 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

10 **NOTICE**

11 These findings and recommendations are submitted to the United States District Judge assigned
12 to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being
13 served with these findings and recommendations, any party may file written objections with the court.
14 Pursuant to Local Rule of Practice (LR) IB 3-2(a), any party wishing to object to the findings and
15 recommendations of a magistrate judge shall file and serve *specific written objections* together with
16 points and authorities in support of those objections, within fourteen days of the date of service of the
17 findings and recommendations. The document should be captioned "Objections to Magistrate Judge's
18 Findings and Recommendations." The parties are advised that failure to file objections within the
19 specified time may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153
20 (9th Cir. 1991). The points and authorities filed in support of the specific written objections are subject
21 to the page limitations found in LR 7-4.
22
23
24
25
26
27
28